

# RESOLVE

Results Through Consensus

720 SW Washington Street, Suite 750  
Portland, OR 97205  
Ph: 503-228-6408 Fax: 503-228-6207  
[www.resolve.org](http://www.resolve.org)

16 December 2002

## MEMORANDUM

TO: MLPA Morro Bay Regional Working Group Members

FROM: Michaela Ledesma, RESOLVE and Paul Reilly, CA Department of Fish and Game

SUBJECT: October 2<sup>nd</sup> Morro Bay Regional Working Group (RWG) Meeting Summary and Action Items

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Thank you for your participation and efforts at the MLPA Morro Bay Regional Working Group (RWG) meeting held on Wednesday, October 2, 2002. This memo includes a brief meeting summary and the following attachments:

*Attachment A – Roster of Attendees*

*Attachment B – Upcoming Meeting Dates and Action Item List*

Please carefully review the attached Action Item list (*Attachment B, Upcoming Meeting Dates and Action Item List*) to ensure we have included all of the agreed-upon tasks and to identify your work areas. Please feel free to contact me at (503) 228-6111 or at [mledesma@resolve.org](mailto:mledesma@resolve.org) or Paul Reilly at (831) 649-2879 or at [preilly@dfg.ca.gov](mailto:preilly@dfg.ca.gov) if you have questions or concerns

### **Welcome, Introductions, Proposed Meeting Objectives and Agenda**

The meeting began with a welcome from Paul Reilly of the California Department of Fish and Game (the Department), and all present introduced themselves.

Michaela Ledesma, the RESOLVE Facilitator, and Mr. Reilly briefly reviewed the proposed agenda and MLPA Notebook materials including the Draft Operating Principles, the MLPA Goals, and other changes and additions to Notebook materials. All materials distributed to the Working Group Members will be available on the Department website at <http://www.dfg.ca.gov/mrd/mlpa>.

Ms. Ledesma discussed meeting and process logistics and expectations. Mr. Reilly asked that each Working Group member provide contact information by filling out a contact sheet. This information will be available to the public and on the website. A separate roster will be available for use by the Regional Working Groups. Mr. Reilly reminded the Working Group that only one

alternate for each member will be formally approved by the Department. Working Group members were asked to contact the Department immediately with alternate information if they have not already provided it. Meeting summaries, which will capture major highlights and decisions made at the Working Group meetings, as well as action items, will be reviewed and adopted by the Working Groups and subsequently made available on the website.

### **Review of MLPA Regional Working Group Goals, Objectives, Mandates and Responsibilities**

Mr. Reilly read and explained a handout containing a summary of the MLPA Goals, Program Guidelines and Requirements, development of the Master Plan, Roles and Responsibilities of Members and the Working Group process. Specifically, Mr. Reilly discussed the MLPA product, which is the Master Plan. Mr. Reilly also explained the role of the Department as lead coordinator, the Master Plan Team (MPT) as advisors, and the Regional Working Group members as constituent representatives who will develop recommendations for the Master Plan. AB 892, extending the deadline for submission of the draft Master Plan to the Fish and Game Commission until January 1, 2005, was signed by the Governor and was chaptered on September 15, 2002.

The Department recognizes and welcomes links to on-going parallel processes in Working Group discussions. The Nearshore Fishery Management Plan has an MPA component that will look to the MLPA process for implementation of that portion of their plan. The Department suggested that the MLPA Regional Working Group members consider the implications of their decisions within this state process for later consideration by other agencies, such that placement of state MPAs also take into account adjoining state terrestrial and federal marine habitat. The MPT will communicate with federal representatives in order to keep the Working Group members informed. In response to a request from Working Group members, the Department will provide Working Groups with a flow chart of agency interrelations, jurisdictions and authority.

The Department is planning a socioeconomic workshop for November 2002 in order to begin the process of incorporating that analysis into the MLPA process. A Working Group member requested that a socioeconomic representative be included in some of the future regional meetings so that they get a feel for regional differences.

Members expressed concern for future funding needs, especially for enforcement. However, the Working Group must develop proposed MPA sites with accompanying regulations before specific enforcement needs can be identified. The Working Group has the option to include within the Master Plan language priorities for funding needs, e.g. for enforcement and education.

### **Draft Operating Principles**

Ms. Ledesma informed the Regional Working Group that the operating principles are intended to assist the group to define how it will govern its discussions, deliberations, and decision-making. She then presented several clarifications to the Draft Operating Principles which were first made at the Santa Barbara/Ventura meeting on 9/18/02, and which will be incorporated by all Working Groups.

Ms. Ledesma indicated that the goal of the session was to identify issues of concern, incorporate changes into the Operating Principles as necessary, and, if possible, agree upon a finalized document. She noted that if the group had outstanding issues at the conclusion of the session, they would need to discuss how to move forward together. Below are brief summaries of the members' comments and/or next steps for each section of the document.

#### Section I. Purpose of the Marine Life Protection Act Regional Working Groups

*Section I was approved.*

#### Section II. Role of the Regional Working Group Members/Working Group Structure

Ms. Ledesma and Mr. Reilly clarified that the Working Groups are mandated to follow the goals and objectives listed in the MLPA but not modify them. Mr. Reilly explained that Working Group recommendations will be submitted to the Department, but that the Department will make the final determination as to what will be included in the draft Master Plan. The MPT will interact iteratively with Working Groups in developing their recommendations to the Department. Consensus recommendations submitted by the Regional Working Group to the Department on a preferred alternative will convey an especially powerful message.

*The Members agreed to add language to the last sentence of Section II paragraph 3 as follows “The final result will be recommendations for a range of alternatives for MPAs, including a preferred alternative if possible.”*

*The Members agreed to modify the first sentence of Section II paragraph 4 such that it reads “As recommendations for alternatives are developed, the Working Groups will look at other factors such as funding, management, monitoring, and enforcement that may effect the implementation of MPAs.”*

Members discussed how costs and funding considerations for those affected by MPAs will affect their decision making processes. The Department committed to including socioeconomic analysis in their decision-making. The Regional Working Group can also solicit specific expertise from MPT members to inform their process. The Department will ask the MPT how they would prefer to communicate with the Working Group members.

Working Group members raised questions regarding the written process for developing alternatives. Mr. Reilly noted that the DFG is creating a draft template to help the Working Groups evaluate existing Marine Protected Areas (MPAs) and develop alternatives for an MPA network. The template is a tool that will help the group evaluate and develop MPA goals and objectives, determine what types of habitat are available or needed in MPAs, and summarize the extent and effectiveness of enforcement, research, monitoring, and education. Mr. Reilly will update the Regional Working Group on this topic at the next meeting.

Ms. Ledesma and Mr. Reilly highlighted the possible establishment of a Statewide Committee. Its primary purpose would be to provide statewide consistency across Regional Working Groups.

The Department is still discussing who would be included and how it would function, and the topic will be revisited in the future.

### Section III. Participation

Regional Working Group members discussed contacts with media. Members will use their own judgment as to how to best involve and inform their constituencies. The Department has a public relations officer who is responsible for making MLPA meeting dates and locations available to the public via press releases. There was a press release regarding this first set of meetings, but the Department does not have control over whether or not the press publishes it.

Members requested that the Department email copies of the MLPA Press Releases to them as well as provide members with contact information of those nominated for their seat in the Group. Members will provide the Department with suggestions for specific individuals in the media, fishing organizations, Harbor Districts, etc. to receive MLPA Press Releases in the hopes of providing better outreach to the public.

### Section IV. Meetings

#### Open Meetings.

*Section IV, paragraph 1 will have language stating that 15 minutes of dedicated time at the beginning and end of the meeting will be available for public comment. The Group will also allow flexibility for other public comment options during the meetings.*

At the behest of Working Group members, the Department will develop a form for creating a written record of public comments. Meeting agendas will be posted on the Department website. Members can inform their constituencies directly regarding the agendas.

Next, the Regional Working Group heard public comment from Mr. Guy Greundmeier, a local commercial fisherman. Mr. Greundmeier provided information about his background and stated concerns about the impact of recent closures on commercial fisherman, as well as the science upon which the closures were based. Mr. Greundmeier recommended that available funding focus on studying the existing closures and developing accurate stock assessments.

Facilitation. Ms. Ledesma is the sole facilitator designated for this Working Group.

### Section V. Decision Making and Commitments

Decision Making. *The last sentence was amended to allow two weeks for an absent Member to provide written comments of a decision, which was interpreted to mean two weeks after the Member receives notification.*

### Consensus.

Working Group members spent a considerable amount of time discussing and clarifying the meaning of consensus and how their decision-making process will work. Several individuals shared concerns that if consensus is not reached by the group, a minority report might be unfairly discounted because that minority has inadequate representation within the Group. Working Group members noted that there may be more than one minority report.

Mr. Reilly explained that the Department did not envision one alternative which simply won a majority of votes, but rather a consensus on an alternative if possible. If not, the Group can submit multiple alternatives to the Department which reflect specific constituent interests.

*In the second sentence of the first paragraph of Section V the Group agreed to include “...agree to, and/or support the recommendations or decision.”*

*The Group decided to omit language from the last sentence regarding majority and minority reports so that it reads: “If the group cannot reach consensus, members will evaluate the consequences of their disagreement and decide together how to address their lack of agreement including opportunities for reports to ensure that all opinions will be represented.”*

Commitments of All Members. There were no concerns raised regarding this section.

### Section VI. Safeguards

Right to Withdraw. William James announced that he will resign from the Group; this will be the last meeting he attends. Since alternates have not yet been approved, Mr. Reilly asked Working Group members for nominations for his replacement. Should a member withdraw in the future, his or her replacement must be confirmed by the Department Director, even if that individual is already the approved alternate.

Press. Members are encouraged to refer press inquiries to the MLPA website for general information. Given the short amount of time remaining in the meeting Working Group members agreed to continue their discussion on this topic during the next meeting.

### Section VII. Process Reminders/Ground Rules

There were no concerns raised regarding this section.

### Section VIII. Schedule

There were no concerns raised regarding this section.

The Department hopes to submit a process timeline with milestones to the Group at the next meeting.

### **MLPA Working Group Composition**

Ms. Ledesma asked RWG members to comment on whether the current RWG composition was sufficient to accomplish their goals. In particular, she asked them to consider whether there were constituencies not adequately represented by the current membership. The Working Group will revisit this topic at its upcoming meeting.

### **Learning about Working Group Members' Hopes and Expectations / Developing a Proposed Vision for Marine Resources within This Region**

In order to begin better understanding one another's interests, RWG members were asked to reflect on two questions near the end of the meeting. The first question was why they agreed to accept their nominations and the second was to describe what would make them glad to have participated two years from now, at the conclusion of the process.

Members shared a variety of reasons for accepting their nominations to the Regional Working Group. These included the opportunity to participate in a "bottom-up" process that seeks to balance conservation and sustainable use of natural resources, to protect business interests, provide expertise, their love for the ocean, belief that MPAs will provide benefits, concern about numerous species' declines, protect a time-honored occupation, prior experience and expertise with similar processes, ability to represent their constituencies well, and fear regarding future lack of access.

Members' hopes at the end of this process include reaching a consensus agreement, securing a network that does not cut into their business, achieving sustainability, obtaining clear scientific information about baselines and the state and effects of closed areas, furthering public education, creating a network that increases the sustainable take, creating respect among members, realizing fishery recoveries, fairness, an improved environment for both the fish and the fishermen, simplifying the existing rules, and giving the Commission the ability to make an informed decision.

Member's views of anticipated challenges included reaching agreement among groups with different agendas, agreeing on the current state of the resources, stemming resource declines, and working with a lack of adequate data.

Members' opinions about MPAs in general included that MPAs play only a small role in fishery management; they can provide opportunities for study; they can help reverse fishery declines; through the implementation of state marine parks they will provide public benefit now and for the future, and they are not the end-all solution.

### **Next Step Tasks, Meeting Summary and Acknowledgments**

The Working Group members agreed that the San Luis Yacht Club is a desired location for future meetings. The next meeting will be Thursday, November 21, with the same start and end times.

Agenda topics for the next meeting include:

- Follow up on any changes to group composition
- Finalize the statement of Operating Principles
- Educate the Group on existing data for the Region

Ms. Ledesma and Mr. Reilly will make the suggested changes to the proposed language of the Operating Principles and Ms. Ledesma will email a red-line, strike-out copy to Working Group members for their review and comment.

The Department will provide Members with electronic access to MPA descriptions in McArdle's 1997 book about MPAs, or hard copies using a first-come, first-serve approach as there are a limited number. Mr. Reilly will also provide a summary of existing fishing regulations for the Region.

The meeting adjourned at 4:30pm.

*ATTACHMENT A*  
**MLPA MORRO BAY REGIONAL WORKING GROUP**  
**October 2, 2002**

**ROSTER OF ATTENDEES**

**Working Group Members:**

1. Mr. Phil Adams, Environmental
2. Mr. Don Canestro, Norris Rancho Marino Natural Reserve
3. Mr. Eric Endersby, Recreational Diving
4. Mr. Ray Fields, The Abalone Farm
5. Mr. Joe Geever, Surfrider Foundation
6. Mr. Bill James, Commercial Fishing
7. Lt. Bob Koch, California Department of Fish and Game
8. Mr. Huff McGonigal, Monterey Bay National Marine Sanctuary
9. Mr. August Phillips, Commercial Fishing
10. Mr. Chuck Rawlinson, Coastal Communities
11. Dr. Lance Rennka, Non-consumptive Recreation/Diving
12. Mr. Jim Webb, Recreational Angling

**Alternates/Observers:**

1. Mr. Tom Moylan, Cal Poly State University
2. Mr. Guy Grundmeier, PSLFA
3. Mr. David Sneed, The Tribune
4. Mr. Babak Nafily

**Department and MLPA Planning Team staff:**

1. Mr. Paul Reilly
2. Mr. Fred Wendell
3. Ms. Irene Tetreault (intern)

**RESOLVE staff:**

1. Ms. Michaela Ledesma



*ATTACHMENT B*  
**MLPA MORRO BAY REGIONAL WORKING GROUP**  
**October 2, 2002**

**UPCOMING MEETING DATES AND ACTION ITEMS LIST**

<b>Upcoming Meeting Date</b>	<b>Time</b>	<b>Location</b>
<ul style="list-style-type: none"><li>Monday, December 16<sup>th</sup></li></ul>	10:00 a.m. – 4:30 p.m. <i>(with working lunch)</i>	Veteran's Memorial Hall 209 Surf Street Morro Bay

<b>Action Items</b>	<b>Who</b>	<b>When</b>
1. <u>Web Posting of RWG Public Contact Information</u> <ul style="list-style-type: none"><li>Post information that RWG have approved for public distribution.</li><li>Check in with absent RWG members to obtain web posting information.</li></ul>	Paul Reilly  Paul Reilly	Info posted on DFG website. ASAP
2. <u>RWG Alternates</u> <ul style="list-style-type: none"><li>Share nominees for each RWG seat with selected member</li><li>Get proposed alternates into the approval process</li><li>Confirm preferred means of communication (email, hardcopy) with approved alternates</li></ul>	Paul Reilly  Paul Reilly  Paul Reilly	ASAP  ASAP  Following approval
3. <u>Document Distribution</u> <ul style="list-style-type: none"><li>Circulate 2<sup>nd</sup> meeting notice including confirmed date, time and location</li><li>Prepare and distribute October 2<sup>nd</sup> draft meeting summary</li><li>Distribute meeting materials, etc. by email</li><li>Update RWG roster information as provided</li></ul>	RESOLVE  RESOLVE  RESOLVE and DFG  RESOLVE and DFG	ASAP  ASAP  As needed  As needed

Action Items	Who	When
<p>4. <u>Resource Materials</u></p> <ul style="list-style-type: none"> <li>Distribute resource materials to RWG: <ul style="list-style-type: none"> <li>Flowchart with federal, state and other related processes</li> <li>Description of state and federal authorities</li> <li>Flowchart of enforcement jurisdictions and authorities</li> <li>MPA Book/CD-ROM</li> </ul> </li> </ul>	DFG	ASAP
<p>5. <u>Public Input/Outreach</u></p> <ul style="list-style-type: none"> <li>Discuss use of DFG website for public input to RWG</li> <li>Consider DFG support for public outreach to RWG constituent groups (e.g. press releases)</li> </ul>	<p>MLPA Planning Team</p> <p>Paul Reilly (lead)</p>	<p>ASAP</p> <p>By Meeting #2</p>
<p>6. <u>Operating Principles</u></p> <ul style="list-style-type: none"> <li>Distribute revised draft operating principles with redline/strikeout changes for approval at next meeting</li> </ul>	RESOLVE to RWG	At least two weeks in advance of Meeting #2
<p>7. <u>Meeting #2</u></p> <ul style="list-style-type: none"> <li>Proposed agenda topics include: <ul style="list-style-type: none"> <li>Approve revised operating principles;</li> <li>“Get to know” your piece of the coast</li> <li>Review major milestones and schedule upcoming meetings</li> <li>Other topics as identified by Regional Working Group members</li> </ul> </li> <li>Identify and distribute background materials as appropriate</li> </ul>	<p>RESOLVE and DFG prepare proposed agenda and circulate to RWG</p> <p>RESOLVE and DFG</p>	<p>At least two weeks in advance of the meeting</p> <p>At least two weeks in advance of the meeting</p>